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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**KENNETH EDWARD BARBOUR,**  
**Plaintiff,**

**V.**

**VDOC AT WALLENS RIDGE  
STATE PRISON,  
Defendant.**

**Civil Action No. 7:09-cv-00132**

## FINAL ORDER

**By: Hon. James C. Turk**  
**Senior United States District Judge**


In accordance with the written memorandum opinion entered this day, it is hereby

**ORDERED**

that the plaintiff's complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915A(b)(1), and the case is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

**ENTER:** This 27<sup>th</sup> day of April, 2009.

  
Senior United States District Judge